

DOCKET NO: 240490US2

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
TSUTOMU OHISHI, ET AL. : EXAMINER: TRUONG, LECHI  
SERIAL NO: 10/621,450 :  
FILED: JULY 18, 2003 : GROUP ART UNIT: 2194  
FOR: IMAGE FORMING APPARATUS, :  
WRAPPING METHOD AND THE  
PROGRAM

PROVISIONAL ELECTION OF SPECIES

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Election of Species Requirement dated July 10, 2007, Applicants provisionally elect with traverse Group I, and list Claims 1-4, 7-15, 18-22, 23-26, and 29-34 as readable thereon.

Applicants acknowledge with appreciation the telephone discussion between Applicants' representative and Examiner Truong on July 25, 2007. During the discussion, Applicants' representative noted that Claim 34 was not listed in either Group I or Group II on page 2 of the outstanding Office Action. The Examiner stated that Claim 34 should have been listed in Group I.

Furthermore, Applicants traverse the outstanding requirement as the outstanding requirement has not established that an undue burden would be required if the requirement was not issued and if all the claims were examined together. More particularly, MPEP §803 states:

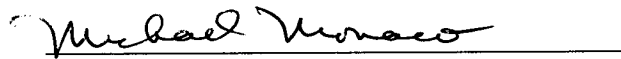
If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present application no undue burden has been established if each of the claims were examined together.

Therefore, Applicants respectfully request that the requirement to elect a single disclosed species be reconsidered and withdrawn,<sup>1</sup> and that a full examination on the merits of Claims 1-34 be conducted.

Respectfully submitted,

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<sup>1</sup> See MPEP 821.01.